

BASIS FOR THE AMENDMENT

Claims 4 and 15 have been canceled. The limitations of Claims 4 and 15 have been included in Claim 1.

No new matter is believed to have been added by entry of this amendment. Entry and favorable reconsideration are respectfully requested.

Upon entry of this amendment Claims 1-3, 5-14, 16-17 will now be active in this application.

REMARKS

Applicants wish to thank Examiner Mercier and supervisory Examiner Kishore for the helpful discussion on January 16, 2008. The Examiners stated that in order for the peel-off pack to work, the preparation also needs to include water as well as component d) a water soluble thickener. Accordingly, the Examiners indicated that they would consider the claims more favorably if Claims 4 and 15, as well as water were included in Claim 1. Applicants have amended the claims accordingly, noting however that based on the Examples, component d) is not a required component.

Since all claim limitations were before the Examiner in the previous response, the amendment should be entered and considered.

Applicants respectfully request reconsideration of the application, as amended, in view of the following remarks.

The present invention as set forth in **amended Claim 1** relates to a **cosmetic pack**, comprising:

- (a) 5-20 wt% of polyvinyl alcohol; and
 - (b) 0.01-10 wt% of a titanium-titanium dioxide sinter;
 - (d) a water-soluble thickener as a component; and
- water;
- wherein said cosmetic pack is a **peel-off cosmetic pack**.

The specification of the present invention discloses at page 1 as follows:

Conventionally, cosmetic pack preparations have been widely used **to cover the skin temporarily for a certain period of time in order to supply moisture to the skin and suppress vaporization of subcutaneous moisture and to make skin flexible.**

Various cosmetic pack preparations are commercially available. **As the form of the pack agent, there are a peel-off type in which a film formed by coating and drying is peeled off**, a type in which a creamy or muddy agent is applied to the skin and wiped off or washed away, a type using a nonwoven fabric impregnated with a lotion, and the like. Among these, **the peel-off type pack has an effect of removing soils adhered to the skin due to the adsorption effect of the film-forming agent and eliminating old horny layers.**

Emphasis added.

In other words, a peel-off cosmetic pack as claimed in the present invention is used to cover the skin temporarily for a certain period of time in order to supply moisture to the skin and suppress vaporization of subcutaneous moisture and to make skin flexible. A film formed by coating and drying is peeled off. The peel-off type pack has an effect of removing soils adhered to the skin due to the adsorption effect of the film-forming agent and eliminating old horny layers.

In contrast, Shiraishi et al, Leverett, Cowsar et al and Guerro, alone or in combination, fail to disclose or suggest a cosmetic pack, comprising: (a) 5-20 wt% of polyvinyl alcohol; and (b) 0.01-10 wt% of a **titanium-titanium dioxide sinter**; (d) a water-soluble thickener as a component; and water; wherein said cosmetic pack is a **peel-off cosmetic pack**.

None of Shiraishi et al, Leverett, Cowsar et al and Guerro, alone or in combination, disclose or suggest a peel-off cosmetic pack which removes soils adhered to the skin due to the adsorption effect of the film-forming agent and eliminates old horny layers.

Shiraishi et al, Leverett, Cowsar et al and Guerro are non-analogous art taken from outside Applicants' field of endeavor.

Shiraishi et al discloses a **hair dye** and a method of dispersing **titanium black** in an aqueous solvent such as water and ethanol by using an N-methacryloylethyl-N,N-dimethylammonium, α -N-methylcarboxybetaine, butyl methacrylate copolymer as a dispersant.

Leverett discloses **makeup cosmetic composition** and a W/O-type emulsion containing a hydrophilic film former such as polyvinyl alcohol in the internal water phase and a pigment in the external oil phase. It is necessary for the pigment to be cationically coated to be included in the internal water phase.

The hair dye with dispersion of **titanium black** in an aqueous solvent of Shiraishi et al and the makeup cosmetic composition with W/O-type emulsion of Leverett are very different, and both are certainly **not peel-off packs**. Thus, Shiraishi et al and Leverett are non-analogous prior art because they relate to solving different problems than the claimed invention. They are not concerned with providing a peel-off cosmetic pack as claimed, especially one which removes soils adhered to the skin due to the adsorption effect of the film-forming agent and eliminates old horny layers.

Since Shiraishi et al and Leverett disclose different types of cosmetics, there is no motivation for a person skilled in the art to use the polyvinyl alcohol of the make-up of Leverett with the pigment of the hair dye of Shiraishi et al to obtain a peel-off pack.

Therefore, the present invention is not obvious over Shiraishi et al in view of Leverett, alone or in combination.

Cowsar et al is non-analogous art taken from outside Applicants' field of endeavor and relates to solving a different problem than the present invention. Cowsar et al disclose a **hair relaxer** which is different from the hair dye of Shiraishi et al or the make-up cosmetic of

Leverett or the peel-off pack of the present invention. Thus, there is no motivation for a person skilled in the art to combine Cowsar et al with Shiraishi et al or Leverett to obtain a peel-off pack as claimed because each of Cowsar et al, Shiraishi et al and Leverett are in different fields of endeavor and outside the field of endeavor of the present invention.

Guerro is non-analogous art taken from outside Applicants' field of endeavor and relates to solving a different problem than the present invention. Guerro discloses a **sunscreen agent** which is a different type of cosmetic from those disclosed in Shiraishi et al and Leverett. There is no motivation for a person skilled in the art to combine Guerro with Shiraishi et al or Leverett to obtain a peel-off pack as claimed because each of Guerro, Shiraishi et al and Leverett are in different fields of endeavor and outside the field of endeavor of the present invention.

Therefore, the rejection of Claims 1, 6-7 and 11-17 under 35 U.S.C. § 103(a) over Shiraishi et al in view of Leverett and the rejection of Claims 2-5, 8 and 10 under 35 U.S.C. § 103(a) over Shiraishi et al in view of Leverett and further in view of Cowsar et al and the rejection of Claim 9 under 35 U.S.C. § 103(a) over Shiraishi et al in view of Leverett and further in view of Guerro are believed to be unsustainable as the present invention is neither anticipated nor obvious and withdrawal of these rejections is respectfully requested.

This application presents allowable subject matter, and the Examiner is kindly requested to pass it to issue. Should the Examiner have any questions regarding the claims or

otherwise wish to discuss this case, he is kindly invited to contact Applicants' below-signed representative, who would be happy to provide any assistance deemed necessary in speeding this application to allowance.

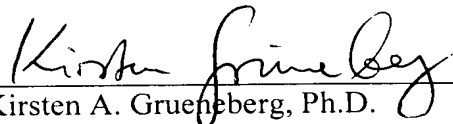
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